

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ESSEX INSURANCE COMPANY,

Plaintiff,

v.

BLACKHAWK ENGINEERING, INC., MARIA GARZA, individually, as Administratrix of the Estate of Armando Garza, and as next friend of YESENIA GARZA, and LIZETTE GARZA,

Defendants.

Case No. 11-cv-884-JPG-SCW

BLACKHAWK ENGINEERING, INC.,

Plaintiff,

v.

ESSEX INSURANCE COMPANY and WESTCHESTER FIRE INSURANCE COMPANY,

Defendants.

Case No. 11-cv-1054-JPG-SCW

**JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision as to some matters and the parties having stipulated to others,

IT IS HEREBY ORDERED AND ADJUDGED that judgment in Case No. 11-cv-884-JPG-SCW and Case No. 11-cv-1054-JPG-SCW is entered in favor of Essex Insurance Company and against Blackhawk Engineering, Inc.;

IT IS FURTHER DECLARED that

Insurance policy numbered 10EO00087 issued by Essex Insurance Company to Blackhawk Engineering, Inc. does not afford coverage to Blackhawk Engineering, Inc. for the events that serve as the basis for the claims and/or cross-claims brought in *Garza v. Marathon Oil Company*, Cause No. 2009-60440, filed in the District Court of Harris County, Texas; and

Essex Insurance Company owes no duty to defend or indemnify Blackhawk Engineering, Inc. against any of the claims or cross-claims brought in *Garza v. Marathon Oil Company*, Cause No. 2009-60440, filed in the District Court of Harris County, Texas;

IT IS FURTHER ORDERED AND ADJUDGED that the claims of plaintiff Blackhawk Engineering, Inc. against defendant Westchester Fire Insurance Company in Case No. 11-cv-1054-JPG-SCW are dismissed without prejudice; and

IT IS FURTHER ORDERED AND ADJUDGED that defendants Maria Garza, individually, as Administratrix of the Estate of Armando Garza and as next friend of Yesenia Garza, and Lizette Garza are bound by the judgment in Case No. 11-cv-884-JPG-SCW.

**DATED: July 12, 2012**

**NANCY J. ROSENSTENGEL, Clerk of Court**

**s/ Jina Hoyt, Deputy Clerk**

**Approved:** s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**